

LAND SURVEYORS SECTION MEETING

MINUTES

The Land Surveyors Section of the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) met on August 11, 2010, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

John R. McAden
Nancy E. McIntyre
W. R. Stephenson, Jr.

Staff present for all or part of the meeting were:

Gordon N. Dixon, Director
Mark N. Courtney, Deputy Director of Licensing and Regulation Division
Kathleen R. Nosbisch, Executive Director
Marian H. Brooks, Board Administrator
Justin Garofalo, Board Administrator
Amy Goobic, Administrative Assistant
Earlyne Perkins, Legal Analyst

No representative was present from the Office of the Attorney General.

Mr. Stephenson, Chair, called the meeting to order at 9:34 a.m.

Call to Order

Mr. Stephenson advised the section of the emergency evacuation procedures.

Emergency Evacuation Procedures

Ms. McIntyre moved to approve the agenda. Mr. McAden seconded the motion which was unanimously approved by members: McAden, McIntyre, and Stephenson.

Approval of Agenda

Public Comment Period – No comments were made to the Section members.

Public Comment

Mr. Guy Crowgey, counsel for the respondent, was present to answer any questions from the Section.

File Number 2010- 00920, Michael Scott Estes

Regarding **File number 2010-00920, Michael Scott Estes**, the Section members reviewed the Consent Order as seen and agreed to by Mr. Estes. Mr. McAden moved to recommend that the Board accept the Consent Order which cites the following violations of the

Board regulations: 18VAC10-20-370.B (Count 1); 18VAC10-20-370.D.2.j (Count 2); and 18VAC10-20-760.B (Count 3). For these violations Mr. Estes agrees to the following sanctions: \$800.00 for the violation contained in Count 1; \$100.00 for the violation contained in Count 2; \$100.00 for the violation contained in Count 3; as well as \$500.00 in Board costs for a total monetary penalty of \$1,500.00. Ms. McIntyre seconded the motion which was unanimously approved by members: McAden and McIntyre.

As the presiding Board member, Mr. Stephenson was not present during the discussion or vote.

Regarding **File Number 2010-04847, Grek Campero**, the Section members reviewed the record of the Informal Fact-Finding Conference, which consisted of the application, transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference. Mr. McAden moved that the Board accept the recommendation contained in the Summary of the Informal Fact-Finding Conference, which recommends that Mr. Campero's application as a Surveyor Photogrammetrist be approved. Ms. McIntyre seconded the motion which was unanimously approved by members: McAden and McIntyre.

File Number 2010-04847, Grek Campero

As the presiding Board member, Mr. Stephenson was not present during the discussion or vote.

Regarding **File Number 2010-04848, Teofilo Campero**, the Section members reviewed the record of the Informal Fact-Finding Conference, which consisted of the application, transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference. Mr. McAden moved that the Board accept the recommendation contained in the Summary of the Informal Fact-Finding Conference, which recommends that Mr. Campero's application as a Surveyor Photogrammetrist be approved. Ms. McIntyre seconded the motion which was unanimously approved by members: McAden and McIntyre.

File Number 2010-04848, Teofilo Campero

As the presiding Board member, Mr. Stephenson was not present during the discussion or vote.

Mr. Lewis was present to address the Section. Mr. Lewis explained that he believes he has the experience necessary for licensure, but did not articulate his experience and education during the Informal Fact Finding Conference.

File Number 2010-04984, Bruce Lewis

Regarding **File Number 2010-04984, Bruce Lewis**, the Section members reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcripts and exhibits and the summary and recommendation of the presiding Board member. Mr. McAden moved to recommend the Board accept the recommendation of the presiding Board member and deny Mr. Lewis' application as a surveyor photogrammetrist under the "grandfather" provision. Mr. Stephenson moved to approve Mr. Lewis' application. As there was not a deciding vote, File Number 2010-04884 will be presented to the full board at the September 15, 2010, for final decision.

As the presiding Board member, Ms. McIntyre was not present during the discussion or vote.

Mr. Kopach was present to address the Section. Mr. Kopach thanked the Section for the opportunity and stated that he was present to answer any questions the Section may have.

File Number 2010-04986, Stephen Kopach

Ms. Nosbisch informed the Section that there was a correction to the 2nd paragraph of the IFF summary. Regulation 18VAC10-20-30, was incorrectly written as 18VAC10-30-30.

Regarding **File Number 2010-04986, Stephen Kopach**, the Section members reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcripts and exhibits and the summary and recommendation of the presiding Board member. Mr. McAden moved to recommend the Board accept the recommendation of the presiding Board member and approve Mr. Kopach's application as a surveyor photogrammetrist. Mr. Stephenson seconded the motion which was unanimously approved by members: McAden and Stephenson.

As the presiding Board member, Ms. McIntyre was not present during the discussion or vote.

The Section agreed they would table discussion of the VDOT Signing & Sealing document until the next section meeting, as the APELSCIDLA / VDOT Traffic Engineering Committee will be meeting August 23, 2010, to discuss the document and correspondence received from Charles Dunlap, LSB and president of the Virginia Association of Surveyors.

VDOT Signing & Sealing Implementation

Ms. Nosbisch reported that Mr. Stephenson and Mr. Johnson, Professional Engineer, would be joining her at the 2010 NCEES Annual Meeting in Denver, August 18-21. The Land Surveyors and Professional Engineers will review NCEES Business and the motions to be offered at the annual meeting, during their joint meeting immediately following the section meeting.

NCEES Update

The Section members were provided draft copies of the regulations with recommended changes discussed at the June 17, 2010, Regulatory Review Committee meeting. The Section discussion included; “use of seal” and deleting the term ‘deed book references’ as there are other types of references used.

Regulatory Review Update

The Section recessed from 10:25 a.m. until 10:35 a.m.

Recess

Discussion resumed on the Land Surveyors section of the regulations.

Regulatory Review Update

There was no other business.

Other Business

Conflict of Interest forms were completed by all members present.

Conflict of Interest Forms

There being no further business, the meeting was adjourned at 11:53 a.m.

Adjourn

W.R. Stephenson, Jr., Chair

Gordon N. Dixon, Secretary